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82-284

OGC 82-03187  
30 March 1982

DD/A Registry

82-0862

MEMORANDUM FOR: Director of External Affairs

DD/A REGISTRY

FROM:

Assistant General Counsel

FILE:

82-100-20

SUBJECT:

Presentation at FOIA/Journalism  
Conference in Madison, Wisconsin

82-0862

1. As you have been advised, [redacted] Director of Information Services, requested last week that I represent the Agency at the conference "Freedom of Information and the Reagan Administration: What Does the Future Hold?" on Saturday, 20 March, in the State Assembly Chamber in Madison, Wisconsin. The conference was jointly sponsored by the Society of Professional Journalists, The University of Wisconsin and Marquette University and the attendees were primarily members of the media and the academic community. Tom Bresson, Deputy Assistant Director, FBI, Randy Rader, Chief Counsel of the U.S. Senate Subcommittee on the Constitution, and Jeff Stewart, Special Counsel, Office of Legal Policy, Department of Justice, also spoke.

2. My presentation addressed the necessity for FOIA relief, with specific emphasis on the administrative burden, the lack of substantive and/or new disclosures, the continual danger to classified information, and the ineffectiveness of the FOIA as an oversight mechanism. As a result of an excellent briefing by [redacted] Legislative Division, OGC, I also addressed the identities legislation and answered numerous questions. My primary thrust was that the Act was not a threat to journalists, such as the attendees, and that the Act did not encroach on First Amendment rights and, in particular, on investigative journalism and would not have impeded stories on, for example, Wilson/Terpil. I emphasized that the Act was directed against individuals who were engaged in a pattern of activities to identify and expose intelligence personnel and damage the national security. Finally, by way of background, I explained the necessity for the legislation in terms of both protecting intelligence activities and the safety of intelligence personnel [redacted] and [redacted]

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3. As a result of my presentation and several conversations during the conference, it is my observation that this was an exceedingly productive effort. While we cannot conclude that the Agency gained numerous supporters, we were certainly able to articulate our position and to dispel a very definite emotional response to the identities legislation which many journalists appear to have. If future opportunities arise, I would suggest that they be favorably considered and I would be pleased to assist in any possible manner.

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